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Attorneys for the United States of America

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA ex rel.  
STF, LLC, an organization; STATE OF  
CALIFORNIA ex rel. STF, LLC, an  
organization,

Plaintiffs,

v.

VIBRANT AMERICA, LLC, a Delaware  
Limited Liability Company,

Defendant.

CASE NO. C 16-2487 JCS

**STIPULATION TO UNSEAL  
UNITED STATES' NOTICE OF  
ELECTION TO DECLINE  
INTERVENTION; [PROPOSED]  
ORDER**

**STIPULATION**

WHEREAS, on February 14, 2020, the United States filed a Notice of Election to Decline Intervention (Doc. No. 30);

WHEREAS, on March 6, 2020, the State of California filed a Notice of Election to Decline Intervention (Doc. No. 33);

WHEREAS, the California Department of Insurance has not, as of yet, filed for Intervention pursuant to the California Insurance Frauds Prevention Act, Ins. Code Sec. 1871.7;

WHEREAS, on March 10, 2020, the Court entered an Order Re: State of California's Notice of Election to Decline Intervention (the "Order") (Doc. No. 34);

WHEREAS, as requested by the State of California, the Order kept all then-current contents of the Court's file under seal except for the Complaint; the summons, if any; the Case Management Order; and the Order; and lifted the seal as to all other matters occurring in this action after the date of the Order;

WHEREAS, the United States' Notice of Election to Decline Intervention (Doc. No. 30) was not unsealed by the Order and remains under seal;

WHEREAS, the United States, the State of California, the California Department of Insurance, Relator STF, LLC, and Defendant Vibrant America, LLC, agree with unsealing the United States' Notice of Election to Decline Intervention (Doc. No. 30);

THEREFORE, the United States, the State of California, the California Department of Insurance, Relator STF, LLC, and Defendant Vibrant America, LLC, hereby stipulate, subject to the approval of the Court, that the United States' Notice of Election to Decline Intervention (Doc. No. 30) should be unsealed.

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Respectfully submitted,

DATED: 5/5/2020

DAVID L. ANDERSON  
United States Attorney

/s/ Neill T. Tseng  
NEILL T. TSENG  
Assistant United States Attorney  
*Attorneys for the United States of America*

DATED: 5/5/2020

XAVIER BECERRA  
Attorney General for the State of California

/s/ Jennifer Gregory  
JENNIFER GREGORY  
Deputy Attorney General  
California Department of Justice  
2329 Gateway Oaks Drive, Suite 200  
Sacramento, California 95833

DATED: 5/5/2020

/s/ Geoffrey F. Margolis  
KENNETH SCHNOLL  
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J. SCOTT MCNAMARA  
Assistant Chief Counsel  
GEOFFREY F. MARGOLIS  
Senior Litigation Counsel  
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*Attorneys for the State of California*

1 DATED: 5/5/2020

COTCHETT, PITRE & McCARTHY LLP

2 /s/ Joseph M. Alioto Jr.

3 JOSEPH M. ALIOTO JR.

4 *Attorneys for Relator STF, LLC*

5 DATED: 5/5/2020

FOLEY & LARDNER LLP

7 /s/ Thomas S. Brown

8 THOMAS S. BROWN

9 *Attorneys for Defendant Vibrant America, LLC*

10  
11 **ATTESTATION**

12 Pursuant to Civil L.R. 5-1(i)(3), I, Neill T. Tseng, attest that I have obtained concurrence in  
13 the filing of this document from each of the other signatories.

14  
15 DATED: 5/5/2020

/s/ Neill T. Tseng

16 NEILL T. TSENG

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the United States' Notice of Election to Decline Intervention (Doc. No. 30) be unsealed.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE JOSEPH C. SPERO  
United States Chief Magistrate Judge